

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

v.

CRIMINAL NO.: 1:16CR066

VICTOR HUFFMAN

MOTION FOR UPWARD VARIANCE

COMES NOW, the United States of America by and through the United States Attorney for the Northern District of Mississippi, and respectfully moves the Court to consider an upward variance in the above-styled and numbered cause. In support thereof, the government would respectfully show unto the Court the following facts, to-wit:

1. On a previous occasion, the defendant pled guilty to interstate transportation of stolen motor vehicles and other goods in violation of Title 18, United States Code Sections 2313 and 2315. He appeared before the Court on Monday, October 24, 2016, for sentencing, but the Court continued sentencing in an effort to identify additional victims.

2. In response to direct questions by the Court, the defendant stated that he had cooperated with the Sheriff of Chickasaw County in an effort to locate the owners of additional items of stolen materials found on the defendant's property. However, counsel undersigned has since spoken with the Sheriff of Chickasaw County, Sheriff Jim Meyers, who states that the defendant did not cooperate in that regard and the equipment that has been identified and returned to rightful owners was identified only by way of serial numbers and NCIC entries.

3. Additionally, the defendant has a lengthy criminal history, consisting mostly of thefts, essentially establishing a lifetime of stealing other people's property. In addition to a number of convictions for burglary and theft, Mr. Huffman has a number of arrests for burglary

and theft that did not result in convictions. Mr. Huffman has been doing this for a very long time. He also was apparently disingenuous with the Court regarding his cooperation with authorities, or lack thereof.

4. Accordingly, the Government respectfully moves the Court to consider an upward variance in this case from the applicable guideline range of 30 to 37 months. However, both sides understand that sentencing remains, as always, within the sole discretion of the Court.

Respectfully submitted,

FELICIA C. ADAMS  
United States Attorney  
Mississippi Bar No. 1049

By: */s/ Robert H. Norman*  
ROBERT H. NORMAN  
Assistant United States Attorney  
Mississippi Bar No. 3880

CERTIFICATE OF SERVICE

I, Robert H. Norman, certify that I have electronically filed the foregoing MOTION FOR UPWARD VARIANCE with the Court using the ECF system which sent notification of such filing to the following:

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and I hereby certify that I have mailed by United States Postal Service the document to the following non-ECF participants: none.

This the 27<sup>th</sup> day of October, 2016.

*/s/ Robert H. Norman*  
ROBERT H. NORMAN  
Assistant United States Attorney